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Viewing cable 10MANAGUA5, NICARAGUAN OPPOSITION UNITY AND BENCHMARKS

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Understanding cables

Every cable message consists of three parts:

- The top box shows each cables unique reference number, when and by whom it originally was sent, and what its initial classification was.
- The middle box contains the header information that is associated with the cable. It includes information about the receiver(s) as well as a general subject.
- The bottom box presents the body of the cable. The opening can contain a more specific subject, references to other cables (browse by origin to find them) or additional comment. This is followed by the main contents of the cable: a summary, a collection of specific topics and a comment section.

To understand the justification used for the classification of each cable, please use this WikiSource article as reference.

Discussing cables

If you find meaningful or important information in a cable, please link directly to its unique reference number. Linking to a specific paragraph in the body of a cable is also possible by copying the appropriate link (to be found at the paragraph symbol). Please mark messages for social networking services like Twitter with the hash tags #cablegate and a hash containing the reference ID e.g. #10MANAGUA5.

Reference ID	Created	Released	Classification	Origin
10MANAGUA5	2010-01-06 18:46	2011-08-30 01:44	CONFIDENTIAL	Embassy Managua

Appears in these articles:

<http://www.nacion.com/2011-05-30/Mundo/NotasSecundarias/Mundo2758456.aspx>
<http://www.nacion.com/2011-05-30/Mundo/NotasSecundarias/Mundo2758467.aspx>
<http://www.nacion.com/2011-05-30/Mundo/NotasSecundarias/Mundo2758468.aspx>
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<http://www.confidencial.com.ni/articulo/3966/la-l-dquo-injerencia-rdquo-de-ee-uu-en-el-2006>
<http://www.nacion.com/2011-05-23/Mundo/Relacionados/Mundo2758764.aspx>
<http://www.nacion.com/2011-05-23/Mundo/NotaPrincipal/Mundo2758753.aspx>
<http://www.confidencial.com.ni/articulo/4041/millones-de-dolares-sin-control-y-a-discrecion>
<http://www.confidencial.com.ni/articulo/4040/la-l-dquo-injerencia-rdquo-de-venezuela-en-2006>
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<http://www.nacion.com/2011-05-16/Mundo/NotasSecundarias/Mundo2757239.aspx>
<http://www.nacion.com/2011-05-16/Mundo/NotaPrincipal/Mundo2746658.aspx>
<http://www.nacion.com/2011-05-16/Mundo/Relacionados/Mundo2757244.aspx>
<http://www.nacion.com/2011-05-16/Mundo/Relacionados/Mundo2746673.aspx>
<http://www.confidencial.com.ni/articulo/3991/dra-yadira-centeno-desmiente-cable-diplomatico-eeuu>
<http://www.confidencial.com.ni/articulo/3968/pellas-pronostico-a-eeuu-victoria-de-ortega-en-2006>
<http://www.confidencial.com.ni/articulo/3967/barreto-era-l-dquo-fuente-confiable-rdquo-para-eeuu>

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C O N F I D E N T I A L MANAGUA 000005

SIPDIS

E.O. 12958: DECL: 2020/01/06
TAGS: PGOV PREL PHUM KDEM CVIS NU
SUBJECT: NICARAGUAN OPPOSITION UNITY AND BENCHMARKS

REF: A) 09 MANAGUA 1137; B) 09 MANAGUA 1103

CLASSIFIED BY: Robert J. Callahan, Ambassador; REASON: 1.4(B), (D)

¶1. (C) Summary. At the start of 2010, the majority of Nicaragua's political opposition remains convinced of the need to unite but continues to confront the obstacle of former President Arnoldo Aleman, his control over the Constitutional Liberal Party (PLC), and his continued power-sharing agreement, known as the "pacto" with Daniel Ortega and the Sandinista National Liberation Front (FSLN). As noted in ref a, there is a growing consensus that the opposition cannot win national elections in 2011 without the inclusion of Aleman and the PLC, while acknowledging that it also cannot win with him at the top of the ticket. Talks to foster unity continue but success will hinge on agreement to select candidates to fill vacancies in key government positions in the coming six months and on the determination of a process to unify the Liberal parties. It is in the USG's long-term interest that Nicaragua's opposition unify and present a credible challenge to Ortega and FSLN in national elections in 2011, but only through a unity process established and fulfilled by the Nicaraguans themselves. Should the opposition, including Aleman and the PLC, make credible progress in this area, the USG should be prepared to respond in concrete ways to concrete steps, including changing the nature of our engagement with the PLC. End Summary.

UNITY EFFORTS

¶2. (C) The primary mechanism for achieving opposition unity remains the dialogue established by Esteli Bishop Abelardo Mata, which includes Aleman and the PLC, Eduardo Montealegre and his Vamos con Eduardo/Independent Liberal Party (MVCE/PLI), and representatives of the sma Assembly and on the issue of electing members to key government

institutions, including the Supreme Electoral Council (CSE), the Supreme Court of Justice (CSJ), the Comptroller's Office, and other positions. In their December 15 meeting, the group agreed to formally reject an FSLN proposal that all current holders of these public offices have their terms extended for five years or until such time as the National Assembly votes on replacements. The group also agreed to form a commission comprised of representatives from each party to develop benchmarks and a path towards establishing a unified Liberal party. Mata told us that, while he believes all sides continue to recognize the imperative of uniting the Liberal parties, Aleman has become increasingly combative and confrontational and appears to be taking harder positions in a possible effort to drive others away from the unity talks.

13. (C) Montealegre told us that the talks remain necessary as they are the "only way to bring Aleman to the table" and publicly force him to make concessions for which he can be held to public account. For Montealegre, the key decision point over the next several months is the selection of magistrates to the CSE. These magistrates, more than any other public officials, are critical to establishing the conditions for democratic elections in 2011 and making sure the vote is counted fairly. An opposition-controlled CSE could also reject the earlier CSJ ruling permitting successive presidential re-election, thereby preventing Ortega from being the FSLN candidate in 2011. Once an agreement is reached with the PLC on these positions, Montealegre believes they must move on to find a process to formally unite the Liberal parties. However, Montealegre continues to reject Aleman's proposal to conduct "primaries" given the issues of costs, likely interference by the FSLN, and the difficulty in finding a neutral party to administer the vote. Montealegre plans to propose a nominating/selection convention, to which each of the Liberal parties (and possibly some non-Liberals) would send delegates. According to Montealegre, a convention would reduce the chance for Aleman to rig the outcome and avoid the risk of falling into the trap of primaries.

14. (C) At the same time, patience among the non-PLC opposition is beginning to wear thin. National Assembly Deputy Enrique Quinonez (formerly Aleman's right-hand man in the Assembly and currently aligned with Montealegre) expressed frustration at Aleman's continued unwillingness to make concrete concessions that could lead to unity. In particular, Quinonez believes that Montealegre and the other democratic forces in the Assembly should cease negotiations with PLC and form their own temporary "pacto" with the FSLN to fill the upcoming government vacancies. According to Quinonez, Aleman is likely to do the same to the rest of them - i.e., cut his own deal with the FSLN to preserve the PLC's exclusive share of the positions - and remains unwilling to cede any power to Montealegre and the rest of the opposition. Quinonez believes that Montealegre's MVCE/PLI group, along with other nominally pro-democracy non-PLC Deputies, could deliver enough votes with the FSLN to reach a deal and exclude the PLC. Montealegre has expressed concern that there are at least five to seven National Assembly Deputies that share Quinonez's view, making negotiations with Aleman all the more difficult.

ALEMAN'S HOKEY POKEY

15. (C) Despite the unity talks and other ongoing efforts, Aleman continues his political hokey pokey - one day with the opposition and the next (sometimes even the same day) continuing his "pacto" power-sharing agreement with Ortega. On December 15, immediately after holding another round of Bishop Mata's unity talks with Montealegre, in government position until March 2010, Aleman's Liberal Supreme Court (CSJ) magistrates joined with the FSLN CSJ magistrates to divide up between their parties sixteen positions on the appellate courts. This, along with the budget and fiscal reform votes (ref b), were just the latest in Aleman's ongoing pattern of pledging opposition unity and denying forming any "pacto" one day, only to subsequently order his loyalists to vote with Ortega to retain the current division of power.

16. (C) In a December 28 interview with the national daily La Prensa, Aleman raised further doubts about his willingness to comply with his public and private commitments in the Mata dialogue, declaring that he intends to run for the presidency in 2011 and that the PLC "will not cede its quota" of magistrates to other opposition parties or civil society leaders in exchange for unity. Subsequently, other PLC Deputies have publicly confirmed that they will not give up the PLC's share of the government positions and threatened that they will be "forced" to vote with the FSLN to divide up the positions if there is no unity agreement soon. As Quinonez noted, these magistrates and other public officials are the key to Aleman's power as well as the guarantors of his legal and political protection.

THE USG RESPONSE - ACTIONS NOT WORDS AS BENCHMARKS

17. (C) As noted in ref a, a group of prominent Nicaraguan business and political leaders, lead by Antonio Lacayo, former Minister of the Presidency under Violetta Chamorro, continues to urge the USG to reconsider its relationship with Aleman and the PLC in order to improve the chances for opposition unity and to reduce the risk that Aleman will form another "pacto" with Ortega. To the extent that changing this relationship could foster opposition unity and that any USG step is in response to concrete actions on the part of Aleman, we believe this idea has merit. Unity is essential to enable the opposition to present a credible challenge to Ortega and the FSLN in national elections in 2011 that will be held under circumstances far less than free and fair. Opposition unity will also be critical to helping Nicaragua preserve democratic space and to hold the Ortega government to account for its actions and governance. For unity to be successful, however, it must be the result of a process led and implemented by Nicaraguans themselves.

18. (C) As previously noted, we remain skeptical of Aleman's willingness to break his current power-sharing relationship with Ortega and to make meaningful concessions that would lead to a viable united opposition. Therefore, any change in the USG's relationship with Aleman would need to be in response to clear, concrete and irrevocable steps on the part of Aleman and the PLC.

Any outreach to Aleman ahead of such concessions is likely to simply be leaked by him to the media as "proof" that the USG has come around and now implicitly supports his presidential ambitions.

While the opposition has been reluctant to date to establish clear benchmarks, the consensus is that agreement must be reached in March-April on a process to select and approve opposition candidates for the vacant positions, with final approval to take place no later than June. The terms of two CSE magistrates and all of the Comptrollers positions become vacant in February, followed by four CSJ magistrates in April and the final five CSJ magistrates in June. Following the adoption of a process to select and approve a united opposition slate for these positions, the opposition would then need to agree to a process to formalize unity and select a slate of candidates for 2011. In the interim, there are also likely to be several key votes in the National Assembly that will test the willingness and commitment of the PLC to join with the opposition, including additional budget modifications and fiscal reforms, an amnesty bill for political opponents of the Ortega government, and the rejection of an FSLN effort to strip Montealegre of his immunity from prosecution to face charges in a politically-motivated case.

19. (C) Each of the above benchmarks represent an instance in which we can and will evaluate the PLC's willingness to clearly and constructively join the opposition and take steps that strengthen Nicaragua's democracy. Should the PLC take such actions, we should be prepared to consider commensurate responses, on a step-by-step basis, in our relations with Aleman and the PLC. These steps could include:

- 1) restoring visas or endorsing waivers for some PLC officials, other than the Aleman family, who previously had their visas revoked;
 - 2) consideration of visas on humanitarian grounds for some members of the Aleman family who were not directly involved in his corruption (one son - 4 years old - is reported to have a serious medical condition and may seek a visa to attend medical consultations with specialists in the U.S.);
 - 3) a private meeting between the Ambassador and Aleman at a neutral location;
 - 4) and other future steps to re-integrate the PLC into the opposition.
- These steps will infuriate the Ortega government and may lend it to take retaliatory actions against the Embassy, but could serve to foster coalition-building among the opposition, bind Aleman closer to the rest of the opposition and make it politically more difficult for him to form a new "pacto" with Ortega, and strengthen the capabilities of the pro-democratic forces to challenge Ortega successfully in 2011.

CALLAHAN